REMARKS

In the Office Action mailed December 14, 2006, the Examiner initially objected to the Information Disclosure Statement filed on January 24, 2005 because one of the document numbers was invalid. Specifically, the IDS was intended to identify Publication No. 2002/0004963, which was incorrectly identified as Publication No. 5005/0004963. Upon review of the 2002/0004963 reference, the applicant has determined the reference is not material to patentability of any of the claim and thus is not being submitted with a supplemental IDS.

In the Office Action, the Examiner identified the priority date for various claims in the pending application. Specifically, the Examiner indicated that claims 3 and 13-36 were only entitled to the priority date of the filing date (April 16, 2004) of the present Continuation-In-Part application. The applicant hereby acknowledges such finding by the Examiner but does not admit to the accuracy of this finding at this time.

In the Office Action, the Examiner has objected to claims 1, 13, 14 and 28 because of informalities identified by the Examiner in the Office Action. By the present response, claims 1, 13, 14 and 28 have been amended to correct the language identified by the Examiner in the Office Action.

Independent Claim 1

In the Office Action, claims 1, 2, 4 and 5 were rejected under 35 USC §102(b) as being anticipated by the Lander U.S. Patent No. 4,476,469. Claim 21 was rejected based upon the combination of the Lander '469 reference and the Hedrick U.S. Patent No. 5,680,105 and the Horiyama U.S. Patent 6,502,949.

By the present response, independent claim 1 has been amended to generally incorporate the subject matter of dependent claim 21. Specifically, claim 1 has been amended to indicate that the system includes a transmitter unit that has a plurality of object locating switches and a master switch. The transmitter includes a microprocessor that is operable to control the transmission of the plurality of uniquely coded activation

signals. The transmitter includes a memory that stores a plurality of unique target address codes and a master address code, where the master address code is different from each of the target address codes. Each of the target address codes is associated with one of the object locating switches and the master address code is associated with the master address switch. When one of the object locating switches or the master address switch is depressed, the RF transmitter transmits the activation signal including either the target address code assigned to the object locating switch depressed or the master address code assigned to the master switch. Thus, the transmitter unit stores a plurality of unique target address codes and a master address code, where the master address code is different from the plurality of target address codes.

Claim 1 further requires the plurality of remote locator units to include a memory that stores a programmable target address and a master address, where the microprocessor activates an indicator device when the RF receiver receives either the target address code corresponding to the stored target address or the master address code corresponding to the stored master address. As required by claim 1, the use of a separate, distinct master address code different from each of the target address codes allows all of the plurality of remote locator units to respond to the depression of the master address switch, since each of the remote locator units stores both the same master address and a unique target address that identifies the remote locator unit.

In rejecting the subject matter of amended claim 1, the Examiner relied upon the Lander '469 reference as the primary reference. However, as the Examiner correctly indicated, the Lander '469 reference does not teach a transmitter unit that included a master switch where the activation signal includes the master address code upon depression of the master switch. To show this feature, the Examiner relied upon the Hedrick '105 reference.

The Hedrick '105 reference teaches an object locating system that includes a master activation unit 80 that includes a master activation switch 76. As described in the specification of the '105 reference, each of the activation switches 22 allows a plurality of

codes to be transmitted using the same RF transmitter. When the master activation switch 76 is depressed, all of the codes associated with each of the plurality of activation switches are transmitted in rapid succession through the depression of the master activation switch 76 (col. 3, lines 14-27). Thus, the Hedrick '105 reference teaches that when the master activation switch is depressed, the locator unit sequentially transmits all of the address codes for each of the plurality of activation switches in rapid succession. The Hedrick '105 reference does not teach or suggest that the master activation switch 76 is associated with a master code different from the target address codes. Instead, the Hedrick '105 reference teaches directly away from such feature, since the Hedrick '105 reference teaches transmitting all of the target address codes to activate the plurality of remote locator units.

As required by claim 1, the master address code is different from each of the target address codes such that each of the remote locator units stores both a target address for the remote locator unit and the master address. Since each of the remote locator units stores both a unique target address and the master address, where the master address is the same for each of the remote locator units, the depression of the master switch causes all of the remote locator units to respond simultaneously. This feature is not taught or suggested, nor rendered obvious by the combination of references cited by the Examiner in the Office Action.

In rejecting claim 21, the Examiner also relied upon the Horiyama '949 reference, where the Horiyama '949 reference was cited to show a power tool adapter positioned between the drill and the battery pack. As amended, independent claim 1 is not directed to a portable work tool, as was the case with original claim 21. Thus, the Horiyama '949 reference is not applicable to the subject matter of amended independent claim 1.

Claims 2-20, 22, 24-27 are each believed to be allowable based upon the above arguments for allowance, as well as in view of the subject matter of each of the claims.

Independent Claim 28

In rejecting independent claim 28, the Examiner relied upon the combination of the Melbourne U.S. Patent No. 6,774,787 in combination with the Hedrick U.S. Patent No. 5,680,105. As stated in the Office Action, the Melbourne '787 reference failed to teach that the transmitter unit includes a master switch and storing a master address and the target address in each of the plurality of remote locator units. To show this feature, the Examiner relied upon the Hedrick '105 reference. In this portion of the Office Action, the Examiner has misinterpreted the teaching of the Hedrick '105 reference. As stated above in the arguments for allowance of claim 1, the Hedrick '105 reference teaches that upon depression of the master activation switch 76, the RF transmitter transmits all of the codes assigned to the plurality of activation switches 22 in rapid succession. Thus, the Hedrick '105 reference does not teach that the master address code assigned to the master switch is different from the target address codes and that the same master address is stored in each of the plurality of remote locator units such that each of the units respond to either the target address for that remote locator unit or the master address. As described above in the arguments for allowance of claim 1, the use of the same master address code for all of the remote locator units allows the transmitter to transmit only a single RF signal that results in activation of all of the plurality of remote locator units. This feature of claim 28 is neither shown nor suggested, nor rendered obvious by the combination of references cited by the Examiner in the Office Action.

Claims 29-32, 34-36 depend directly or indirectly from claim 28 and are thus believed to be allowable based upon the above arguments for allowance, as well as in view of the subject matter of each of the claims.

Conclusion

In the present response, the applicant has addressed the rejection of independent claims 1 and 28 made by the Examiner in the Office Action. Based upon the allowability of these independent claims, the remaining dependent claims in the pending action are

also believed to be allowable. However, the applicant reserves the right to argue the individual features of the dependent claim should the Examiner incorrectly disagree with the applicant's arguments for allowance of independent claims 1 and 28.

The Examiner is invited to contact the applicant's undersigned attorney with any questions or comments, or to otherwise facilitate prosecution of the present application.

Respectfully submitted,

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